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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/693,916

10/28/2003

Sang Ho Lee

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EXAMINER

AHMED, SALMAN

ART UNIT

PAPER NUMBER

2619

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/693,916	<b>Applicant(s)</b> LEE, SANG HO	
	<b>Examiner</b> SALMAN AHMED	<b>Art Unit</b> 2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-15 and 17-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-15 and 17-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/28/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

Claims 1-5, 7-15 and 17-33 are pending.

Claims 1-5, 7-15 and 17-33 are rejected.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-3 and 7-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 1, lines 7-10 states “*at least one of transforming a packet data frame into a data RLP frame or transforming a voice frame into a voice RLP frame using a frame type field or a control field not used in the at least one data RLP frame*”.

It is unclear as to how “*transforming a voice frame into a voice RLP frame*” is achieved by “*using a frame type field or a control field not used in the at least one data RLP frame*”. Is the *data RLP frame* being converted/transformed into a *voice RLP frame* for transporting voice packets? That is, it is not clear as to if a voice packet is transformed into a voice RLP frame or a voice packet is mapped into a data RLP frame and then data RLP frame is transformed into a voice RLP frame by *using a frame type field or a control field not used in the at least one data RLP frame*. And finally, in the end is the voice packet bearing RLP frame is a voice RLP frame or data RLP frame? As

such, claim 1 is being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2-3 and 7-13 depend on claim 1 and are rejected under 35 U.S.C. 112, second paragraph.

3. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 4, line 10 states “*using the at least one RLP frame*”.

It is unclear as to “*the at least one RLP frame*” refers to a voice RLP frame or a data RLP frame. As such, claim 4 is being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 5, line 10 states “*using the at least one RLP frame*”.

It is unclear as to “*the at least one RLP frame*” refers to a voice RLP frame or a data RLP frame. As such, claim 5 is being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claims 14 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 14, line 11 states “*the at least one RLP frame*”.

It is unclear as to "*the at least one RLP frame*" refers to a voice RLP frame or a data RLP frame. As such, claim 14 is being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 15 depends on claim 14 and is rejected under 35 U.S.C. 112, second paragraph.

6. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 17, line 11 states "*the at least one RLP frame*".

It is unclear as to "*the at least one RLP frame*" refers to a voice RLP frame or a data RLP frame. As such, claim 17 is being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claims 18-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 18, lines 9-11 states "*at least one of transforming a packet data frame into a data RLP frame or transforming a voice frame into a voice RLP frame using a frame type field or a control field not used in the at least one data RLP frame*".

It is unclear as to how "*transforming a voice frame into a voice RLP frame*" is achieved by "*using a frame type field or a control field not used in the at least one data RLP frame*". Is the *data RLP frame* being converted/transformed into a *voice RLP frame* for transporting voice packets? That is, it is not clear as to if a voice packet is

transformed into a voice RLP frame or a voice packet is mapped into a data RLP frame and then data RLP frame is transformed into a voice RLP frame by *using a frame type field or a control field not used in the at least one data RLP frame*. And finally, in the end is the voice packet bearing RLP frame is a voice RLP frame or data RLP frame? As such, claim 18 is being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 19-25 depend on claim 18 and are rejected under 35 U.S.C. 112, second paragraph.

8. Claims 26-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 26, lines 6-8 states “*at least one of a packet data frame is transformed into a data RLP frame or a voice frame is transformed into a voice RLP frame using a frame type field or a control field not used in the data RLP frame*”.

It is unclear as to how “*transforming a voice frame into a voice RLP frame*” is achieved by “*using a frame type field or a control field not used in the data RLP frame*”. Is the *data RLP frame* being converted/transformed into a *voice RLP frame* for transporting voice packets? That is, it is not clear as to if a voice packet is transformed into a voice RLP frame or a voice packet is mapped into a data RLP frame and then data RLP frame is transformed into a voice RLP frame by *using a frame type field or a control field not used in the data RLP frame*. And finally, in the end is the voice packet bearing RLP frame is a voice RLP frame or data RLP frame? As such, claim 26 is being

indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 27-31 depend on claim 26 and are rejected under 35 U.S.C. 112, second paragraph.

9. Claim 32 recites the limitation "the at least one data RLP frame" in lines 8-9.

There is insufficient antecedent basis for this limitation in the claim.

10. Claims 32 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 32, lines 7-9 states "*transforming a voice frame into a voice RLP frame using a frame type field or a control field not used in the at least one data RLP frame*".

It is unclear as to how "*transforming a voice frame into a voice RLP frame*" is achieved by "*using a frame type field or a control field not used in the at least one data RLP frame*". Is the *data RLP frame* being converted/transformed into a *voice RLP frame* for transporting voice packets? That is, it is not clear as to if a voice packet is transformed into a voice RLP frame or a voice packet is mapped into a data RLP frame and then data RLP frame is transformed into a voice RLP frame by *using a frame type field or a control field not used in the data RLP frame*. And finally, in the end is the voice packet bearing RLP frame is a voice RLP frame or data RLP frame? As such, claim 32 is being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. Claim 33 recites the limitation "the data RLP frame" in line 6. There is insufficient antecedent basis for this limitation in the claim.

12. Claims 33 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 33, lines 5-6 states "*a voice frame is transformed into a voice RLP frame using a frame type field or a control field not used in the data RLP frame*".

It is unclear as to how "*a voice frame is transformed into a voice RLP frame*" is achieved by "*using a frame type field or a control field not used in the data RLP frame*". Is the *data RLP frame* being converted/transformed into a *voice RLP frame* for transporting voice packets? That is, it is not clear as to if a voice packet is transformed into a voice RLP frame or a voice packet is mapped into a data RLP frame and then data RLP frame is transformed into a voice RLP frame by *using a frame type field or a control field not used in the data RLP frame*. And finally, in the end is the voice packet bearing RLP frame is a voice RLP frame or data RLP frame? As such, claim 33 is being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

***Allowable Subject Matter***

13. Claims 1, 4, 5, 14, 17, 18, 26, 32 and 33 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.



14. Claims 2, 3, 7-13, 15, 19-25 and 27-31 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

15. Applicant's arguments, see pages 12-14 of the Remarks section, filed 6/9/2008, with respect to the rejections of the claims have been fully considered. Upon further review and/or search, a new ground of rejection has been presented in this office action. As such, any further response to Applicant's argument is moot.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SALMAN AHMED whose telephone number is (571)272-8307. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2619

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Salman Ahmed/  
Examiner, Art Unit 2619